

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**ANNE BRUMBAUGH, GARY L. HARMON and  
RANDY K. GRIFFIN,**

**Plaintiffs,**

**V.**

**WAVE SYSTEMS CORPORATION, JOHN E. BAGALAY, JR., STEVEN K. SPRAGUE and GERARD T. FEENEY,**

## Defendants.

**CIVIL ACTION  
NO. 04-30022-MAP**

**ASSENTED-TO MOTION FOR  
EXTENSION OF TIME TO ANSWER THE  
CONSOLIDATED AMENDED CLASS ACTION COMPLAINT**

Pursuant to Fed. R. Civ. P. 6(b) and Local Rule 7.1, Defendants respectfully request that this Honorable Court grant a two week extension of time (through and including February 9, 2006) within which the Defendants may answer or otherwise respond to the Consolidated Amended Class Action Complaint in this action.

As grounds for this motion, Defendants state as follows:

1. Plaintiff's counsel has assented to the relief sought by this motion.
2. Pursuant to the Federal Rules and by operation of this Court's Memorandum of Decision on Defendants' Motion to Dismiss dated January 11, 2006, Defendants currently must answer or otherwise respond to the Consolidated Amended Class Action Complaint on or before January 26, 2006.
3. Due to the length and complexity of the Consolidated Amended Class Action Complaint, the Defendants require additional time to properly answer or otherwise respond.
4. This extension will not delay the Conference scheduled by the Court for February 27, 2006.

WHEREFORE, the Defendants respectfully request that they be permitted through and including February 9, 2006 to answer or otherwise respond to the Consolidated Amended Class Action Complaint.

Respectfully submitted,

**WAVE SYSTEMS CORPORATION,  
JOHN E. BAGALAY, JR., STEVEN K.  
SPRAGUE and GERARD T. FEENEY,**

By their attorneys,

/s/ Michael D. Blanchard  
Robert A. Buhlman, BBO #554393  
Michael D. Blanchard BBO #636860  
BINGHAM MCCUTCHEN LLP  
150 Federal Street  
Boston, MA 02110-1726  
(617) 951-8000

Dated: January 23, 2006.

**RULE 7.1(a)(2) CERTIFICATION**

I hereby certify that counsel for Defendants conferred with counsel for Plaintiffs in good faith to resolve or narrow the issues presented in this motion, and the Plaintiffs have assented to the relief sought herein.

/s/ Michael D. Blanchard  
Michael D. Blanchard

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above pleading was electronically served upon the attorneys of record for all parties on January 23, 2006.

/s/ Michael D. Blanchard  
Michael D. Blanchard